

Chapter 5.40**VEHICLES FOR HIRE AND TAXICABS****Sections:**

5.40.010	Definitions.
5.40.020	Permit and lawful operation required.
5.40.030	Franchise and lawful operation required.
5.40.040	Vehicle for hire: Application and fee.
5.40.050	Issuance of permit.
5.40.060	Taxi franchise: Application and fee.
5.40.070	Taxi Franchise application - Referral to City Council.
5.40.080	Grounds for denial of permit or franchise.
5.40.090	Appeal.
5.40.100	Insurance requirements.
5.40.110	Revocation of permit.
5.40.120	Assignment.
5.40.130	Driver's appearance and conduct.
5.40.140	Stopping at railroad crossings.
5.40.150	Use of vehicle for hire and taxicab stands required--Exceptions.
5.40.160	Exclusive use by first passenger.
5.40.170	Driver to carry passengers safely and expeditiously.
5.40.180	Driver's permit, regulations, identification card, renewal of driver's permit.
5.40.190	Responsibilities of drivers and owners.
5.40.200	Receipt for payment.
5.40.210	Condition of vehicles for hire, animals and taxicabs.
5.40.220	Records.
5.40.230	Posting rate schedule and identification card.
5.40.240	Light inside vehicle.
5.40.250	Excessive charges.
5.40.260	Designation of vehicle for hire.
5.40.270	Parking vehicles on streets generally.
5.40.280	Change in rates, color scheme, name, vehicles and animals.
5.40.290	Refusal to pay legal fare.
5.40.300	Meters.

Section 5.40.010 Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively described to them by this section:

"Vehicle for hire," includes any motor propelled or animal-drawn vehicle by means of which passengers are transported for hire upon any public street in the City and not over a regular or defined route. "Vehicle for hire" does not include taxicabs, vehicles licensed by the Public Utilities Commission, ambulances, gurney vans and courtesy vans used exclusively by the customers of a hospital or other business or governmental entity that operates such courtesy van.

"Taxicab" includes any motor-propelled vehicle used for the transport of passengers for hire upon any public street in the City when charge for such transportation is measured by the

distance traveled, or by the time required for such transportation, or both, and when a meter is used for such measurement as provided in this chapter.

“Chief of Police” means Chief of Police or his or her designee.

“Finance Director” means Finance Director or his or her designee.

“For hire” means for any compensation including but not limited to payment, tip, contribution, donation or barter. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.1)

Section 5.40.020 Permit and lawful operation required.

It is unlawful to operate or cause to be operated a vehicle for hire upon any public street within the City without first having obtained a permit to do so in accordance with the provisions of this chapter or in violation of applicable provisions of this chapter and other applicable law. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994)

Section 5.40.030 Franchise and lawful operation required.

It is unlawful to operate or cause to be operated a taxicab upon any public street within the City without first having obtained a franchise to do so in accordance with the provisions of the Charter of the City and this chapter or in violation of any applicable provisions of this chapter and other applicable law. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.2)

Section 5.40.040 Vehicle for hire: Application and fee.

Any person desiring to obtain a permit to operate a vehicle for hire shall pay to the Finance Director a fee as set by resolution, and shall make application for such permit, using the City's application form, to the Finance Director, which application shall set forth:

1. The name and address of the applicant; if the same be a corporation, the names of its principal officers; or, if the same be a partnership, association, or fictitious company, the names of the partners or persons comprising the association or company, with the address and telephone number including area code of each;

2. If any proposed stand is in a public street, such application shall be accompanied by the written consent of all the occupants of the ground floor of any building in front of which such vehicle for hire is to be located, and for twenty-five feet in each direction therefrom; or, if there is no such occupant, by the written consent of the owner or lessee of such building or lot;

3. A description of every vehicle which the applicant proposes to use, stating, if applicable:

- a. Make, model and year
- b. Vehicle identification number
- c. State license plate number
- d. Seating capacity
- e. Body style;

4. If the vehicle for hire is an animal-drawn carriage:

a. Breed of animal, age, physical condition, proof of ownership or right to use horse and evidence that the animal is suitable for the intended uses and in good health.

b. A description, including a five by seven color photograph of the animal(s) and the carriage(s);

c. The seating capacity of the vehicles;

d. The street number and exact location of the place or places where the applicant proposes to stand each horse(s) and carriage;

5. The proposed schedule of rates or fares to be charged for carrying passengers in such vehicle;

6. The distinctive color scheme, name, monogram or insignia which shall be used on such vehicle, which markings are not required to be permanently affixed;

7. If any proposed stand is in a public street, such application shall be accompanied by a written consent thereto of all the occupants of the ground floor of any building in front of which such vehicle for hire is to be located, and for twenty-five feet in each direction therefrom; or, if there is no such occupant, by the written consent thereto of the owner or lessee of such building or lot;

8. If the vehicle for hire is for a person or corporation desiring to operate a wheelchair van, the applicant shall provide a signed statement that any van permitted under this chapter will be used to provide only non-emergency medical transportation and will not provide any gurney and or litter transportation unless and until a permit for such convalescent transport service has been issued pursuant to the provisions of Chapter 5.65. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.3)

Section 5.40.050 Issuance of permit.

Upon receipt of a complete Vehicle for Hire permit application referred to in Section 5.40.040, the Finance Director shall conduct an investigation to determine whether or not the public interest, convenience and necessity, require the issuance of the permit applied for. The investigation shall be conducted in a reasonable time. If the Finance Director determines that the public interest and convenience require the issuance of the permit applied for, the Finance Director shall issue a permit for a period of three years in accordance with such application, subject to the filing and approval of proof of insurance coverage as provided in Section 5.40.100 and subject to the requirements of this chapter. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.4)

Section 5.40.060 Taxi franchise: Application and fee.

Any person desiring to obtain a franchise to operate a taxicab required by this chapter shall pay a fee to the Finance Director as set by resolution, and shall make application for such franchise, using the City's application form, to the Finance Director, which application shall set forth:

1. The name and address of the applicant; if the same be a corporation, the names of its principal officers; or, if the same be a partnership, association, or fictitious company, the names of the partners or persons comprising the association or company, with the street and mailing address and telephone and facsimile number including area code of each;

2. Supporting information as required, which shall include but not be limited to the experience and background of the applicant, the plan for operation and the reasons the applicant believes the operation would serve the public interest and convenience;

3. If any proposed stand is in a public street, such application shall be accompanied by a written consent thereto of all the occupants of the ground floor of any building in front of which such taxicab is to be located, and for twenty-five feet in each direction therefrom; or, if there is no such occupant, by the written consent of the owner or lessee of such building or lot. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.5)

Section 5.40.070 Taxi Franchise application - Referral to City Council.

Upon receipt of a complete application for a taxi franchise, the Finance Director shall refer the matter to the City Council to be processed in accordance with the City of Riverside Charter within 30 days unless otherwise extended for good cause by the Finance Director. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.6)

Section 5.40.080 Grounds for denial of permit or franchise.

The following reasons may be sufficient grounds for denial of a permit or franchise required by this chapter. The Finance Director may accept and consider corrected applications.

A. That the application is not in the proper form, and does not contain the information required to be contained therein by this chapter;

B. That the vehicles, animals and/or appurtenances described therein are inadequate or unsafe for the purposes for which they are to be used;

C. That the color scheme, name, monogram, or insignia to be used upon such vehicles or in advertisements imitates any color scheme, name, monogram or insignia used by any other person in such manner as to be misleading or tend to deceive or defraud the public;

D. That the location of the stand, as therein stated, is such as to congest or interfere with travel on any public street, or that the proposed stand is within three hundred feet of any other stand theretofore fixed by the City Council on the same street;

E. That the applicant has had a permit or franchise for the operation of a vehicle for hire or taxicab suspended or revoked for cause;

F. That the applicant does not have qualified drivers to operate the vehicles for hire;

G. That the applicant has operated a vehicle for hire or taxicab in the City in violation of the requirements of this code;

H. That the proposed operation will threaten the peace, health, safety and welfare of the public;

I. For taxicab franchise applications only, that the public interest and convenience and necessity do not require the issuance of such permit. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.7)

Section 5.40.090 Appeal.

Any applicant for a vehicle for hire permit who has been denied a permit or who has had their permit revoked may, within fifteen days of notification of the denial or revocation of such permit pay a fee as set by resolution and file an appeal in writing with the City Clerk. The applicant shall set forth in writing the grounds for the appeal. The City Clerk shall set a time not less than ten nor more than thirty days thereafter for the hearing of the appeal before the City Council, and shall give notice of the time set at least five days before the date of such hearing to the applicant or permit holder, by mail, at the address set out in such application. At the time set for the hearing of such appeal, the City Council shall receive from the Finance Director and the applicant or permit holder information regarding the denial or revocation and appeal and shall make a determination to grant the permit or uphold the denial or revocation. The determination of the City Council shall be a final determination of the matter. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.8)

Section 5.40.100 Insurance requirements.

Before a permit or franchise shall be issued or granted, the applicant shall obtain and maintain, and show proper proof of: (1) a policy of insurance issued by a company duly authorized to conduct business in the State of California, by the provisions of which insurance policy the company promises and undertakes to pay in full all claims for damages to persons or property resulting from the operation of the vehicles for hire referred to in such application; provided, that the minimum amount for which liability shall be assumed for injury to or death of one or more persons in any one accident shall be one million dollars and for which liability shall be assumed for injury to or destruction of property in any one accident. The applicant is required to have insurance coverage in the minimum amount of one million dollars for personal injury, property damage or advertising liability and is required to name the City as an additional insured, and (2) Workers' Compensation coverage in compliance with California Labor Code provisions.

(Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.9)

Section 5.40.110 Revocation of permit.

A. Any permit granted under the provisions of this chapter may be revoked by the Finance Director after five days' notice to the permit holder, requiring him or her to appear at a certain time and place to show cause why such permit should not be revoked for any of the following reasons:

1. For the nonpayment for any license fee provided by the provisions of this chapter or other ordinance of the City;

2. For the violation of any of the laws and regulations of the State, provisions of this code or other ordinances of the City, by any permit holder, operator or driver of a vehicle for hire;

3. For operating any vehicle for hire or taxicab when the passenger compartment is not in good repair and is not in a clean and sanitary condition;

4. For any cause which in the opinion of the Finance Director upon a showing of good cause makes it contrary to the public interest, convenience and necessity for the permit to be continued;

5. For failure to maintain satisfactory service to the public.

6. A permit issued hereby may be suspended immediately upon notice by the Finance Director or to the permittee if a serious and dangerous condition exists or in the event of a violation of these regulations or if the insurance coverage required in this chapter has not been maintained or has been withdrawn or lapsed for nonpayment of premiums, or is not in force for any reason. If the permit is suspended, a written notice shall be provided to the permittee within two regular business days, setting forth the violations charged and setting a time and date for the permittee to show cause why the permit should not be revoked. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.10)

Section 5.40.120 Assignment.

No vehicle for hire permit issued under the terms of this chapter shall be assigned either by contract or operation of law without the express written permission of the Finance Director having been first obtained, and any such attempted assignment shall be sufficient cause for revocation thereof. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.11)

Section 5.40.130 Driver's appearance and conduct.

The driver of any vehicle for hire or taxicab shall be neat in dress and person. A driver may not wear as outer clothing: underwear, tank tops, tube tops, body shirts, swim wear, bathing trunks, or cut-off shorts. A driver shall not smoke while carrying a passenger. A driver shall not operate or occupy a vehicle for hire or taxicab while his/her ability is impaired by either alcohol or drugs. A driver shall not operate his/her vehicle or conveyance for hire or taxicab in such manner or at a speed which endangers users of other vehicles, pedestrians or his/her passengers. (Ord. 6179 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.12)

Section 5.40.140 Stopping at railroad crossings.

Any vehicle for hire or taxicab shall, while carrying passengers, come to a full stop at least thirty feet from the nearest rail before crossing any railroad track where no gates are maintained. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.13)

Section 5.40.150 Use of vehicle for hire and taxicab stands required--Exceptions.

No vehicle for hire or taxicab shall remain standing upon any portion of any public street or

sidewalk within the City except for loading and unloading passengers, and then not for a period of more than five minutes; excepting such stand as may be described in the application for a permit and authorized by the Permit. This section shall not apply to any vehicle for hire or taxicab while the same is engaged by and being paid for by a passenger. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.14)

Section 5.40.160 Exclusive use by first passenger.

No operator or owner of any vehicle for hire or taxicab shall solicit or take on or carry any passenger or passengers after such vehicle for hire or taxicab shall have been engaged or while in use for another passenger, without the consent of the passenger first engaging the same. A passenger engaging such vehicle for hire or taxicab shall have the exclusive right to the use of the passenger compartment. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994)

Section 5.40.170 Driver to carry passengers safely and expeditiously.

The driver of any vehicle for hire or taxicab shall carry any passenger engaging the same safely and expeditiously to the passenger's destination by the most direct and accessible route. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.20)

Section 5.40.180 Driver's permit, regulations, identification card, renewal of driver's permit.

It is unlawful for any person to operate a vehicle for hire or taxicab in the City without having first obtained a vehicle for hire or taxicab driver's permit issued in writing by the Chief of Police. Such driver's permit shall be carried by every person while operating a vehicle for hire and such permit holder shall exhibit the permit to any police officer, any animal control officer or the Finance Director upon demand. Applicant(s) for a City vehicle for hire or taxicab driver's permit shall file application therefor with the Police Department accompanied by a fee in the amount established by City Council resolution. No permit shall be issued to any driver or operator under the age of eighteen years. No permit shall be issued unless applicant has had training and experience in the operation of the vehicle for hire or taxicab which applicant intends to operate. The Chief of Police may deny a permit to any person who, within two years immediately preceding such application, has been convicted of reckless driving or of driving a vehicle while under the influence of intoxicating liquor or drugs, or a combination of both. If the applicant is found to have committed some other crime, the nature of which would endanger the public health, welfare or safety if such person were given a permit, the Chief of Police after investigation shall deny the issuance of a permit. The Chief of Police may receive and consider evidence of rehabilitation before rendering a decision on the permit application. Any such denial for drunk or reckless driving or for the conviction of any other crime may be appealed to the City Council by written notice within thirty days after such denial. Any falsification on the application will be grounds for denial or revocation of the operator's permit. Upon obtaining a permit as herein required, the holder of the permit shall be entitled to an identification card of such design and having such number as the Chief of Police may prescribe. Such identification card shall be kept on the driver's person at all times while operating a vehicle for hire or taxicab. Such identification card is to be and remain the property of the City and to be returned to the Police Department upon the holder's termination of employment in the City as an operator of a vehicle for hire or taxicab. All permits issued pursuant to this section to operate a vehicle for hire or taxicab shall expire one year from the date of issue. Applications for renewal shall be made within thirty days from the date of expiration of such permit. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.21)

Section 5.40.190 Responsibilities of drivers and owners.

A. It shall be the duty of each owner and/or driver of a vehicle for hire or taxicab to be familiar with the mapping of City streets and locations of major buildings and attractions and the requirements imposed by this chapter.

B. It shall be the duty of each owner and/or driver of a vehicle for hire or taxicab to remove from the passenger compartment or secure in a locked cabinet the alcoholic beverages which they may ordinarily provide if any of the passengers are under twenty-one years of age unless such person is accompanied by a parent or guardian. It shall be the responsibility of the owner and/or driver to verify the age of the passenger and the relationship of adults to the minors.

C. It shall be the duty of each owner and/or driver of a vehicle for hire and taxicab to report all accidents involving property damage of five hundred dollars or more and all accidents involving injury to an individual to the Finance Director on the next business day following the accident.

D. It shall be the duty of each owner and/or driver of a vehicle for hire or taxicab to maintain and keep current at the place of business a daily log showing all trips made by every driver during such drivers' hours of work showing time(s) and place(s) of origin and destination of trips, and the specific carriage(s) and horse(s) operated. Such logs shall be made available to the Finance Director for inspection upon reasonable notice.

E. It shall be the duty of each owner and/or driver of an animal-drawn carriage to operate the animal-drawn carriage no faster than a slow trot.

F. It shall be the duty of each owner and/or driver of an animal-drawn carriage to be the first person into the carriage and the last person to exit the carriage.

G. No driver of an animal-drawn carriage shall leave the animal and carriage unattended.

H. It shall be the duty of the driver of animal drawn vehicles to maintain all tack in good and safe condition and to drive the animal in a safe manner and to provide all requirements including water and rest periods for the animal.

I. It shall be the duty of each owner and driver of every wheelchair van to have and maintain two way communication with a base station or a fully functioning cell phone or other acceptable means of communication whenever the wheelchair van is in use. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.22)

Section 5.40.200 Receipt for payment.

The driver of any vehicle for hire and/or taxicab shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, indicating date(s) of service, amount paid, and the name of the permit or franchise holder. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.23)

Section 5.40.210 Condition of vehicles for hire, animals and taxicabs.

All vehicles for hire and taxicabs shall be kept in good mechanical condition and in good working order. The City reserves the right to inspect or cause to be inspected permitted vehicles and conveyances for hire, taxicabs, and animals for compliance with this chapter, for the presence and operating condition of required safety features and for cleanliness. Vehicle for hire permit holder shall pay the reasonable costs of inspections required under this section. Motorized vehicles for hire and taxicabs shall have heating and air conditioning systems in good operating condition for seasonal use. Animals and animal-drawn carriages shall have the following equipment:

A. Brakes appropriate for the design of the particular carriage;

B. Animal harnesses in good condition, which are subject to inspection by a qualified inspector;

C. Slow moving vehicle emblem that complies with State law;

D. An effective device to catch horse manure;

E. Rear view mirrors appropriate to the type of carriage shall be mounted on the carriage to provide for viewing to the side and rear of carriage. This requirement applies only to carriages constructed to accommodate mirrors;

F. Two electrified white lights for the front of the carriage and two electrified red lights for the rear of the carriage. All lights shall be operated when the carriage is being driven during the hours from one-half hour after sunset to one-half hour before sunrise and during other times of lessened visibility;

G. Animals pulling carriages shall be shod with rubber shoes.

The City may order any vehicle for hire or taxicab off the road immediately for being in unsafe mechanical condition or because the vehicles do not have the required equipment and insurance or are not clean and suitable for passenger transport. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.24)

Section 5.40.220 Records.

The owner of any vehicle-for hire and taxicab shall maintain for a period of three years and disclose to the City upon request the following records:

A. Driver's trip records;

B. Receipts and disbursements from vehicle for hire operations;

C. Payments to drivers;

D. Mileage record of each motorized vehicle;

E. Workers' Compensation coverage, if required;

F. Liability insurance coverage;

G. All financial Statements;

H. Copies of all citations issued by a California law enforcement officer or copies of the Department of Motor Vehicles printout. (Ord. 6719 § 2, 2003, Ord. 6143 § 1, 1994; prior code § 33.27)

Section 5.40.230 Posting rate schedule and identification card.

Every vehicle for hire and taxicab shall have posted in the passenger's compartment a schedule of rates and charges for the hire of such vehicle, also a card bearing the driver's identification and another card bearing the owner's name, address and telephone number and the Finance Department phone number, all contained in a small metal or plastic holder about three by four inches in size, and placed in a conspicuous place in the passenger compartment. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.28)

Section 5.40.240 Light inside vehicle.

Every motorized vehicle for hire except taxicabs shall be equipped with a light within such vehicle, so arranged as to illuminate the whole of the passenger compartment, which light shall be constantly lighted at all times while any passenger is in such vehicle, except when the same is in motion, from one-half hour after sunset of any day until one-half hour before sunrise of the next day; and no shades or blinds shall be drawn over the windows of a vehicle for hire while any passenger is in such vehicle. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.29)

Section 5.40.250 Excessive charges.

No charge shall be made by any operator or owner of a vehicle for hire or taxicab in excess of the rates posted in the passenger compartment of such car and approved by the City. (Ord. 6719 § 2, 2003; Ord. 6143 § 1, 1994; prior code § 33.25)

Section 5.40.260 Designation of vehicle for hire.

No vehicle for hire shall be designated as a "taxi" or "taxicab" in any sign or advertising matter unless authorized to do so by franchise granted by the City of Riverside. (Ord. 6719 § 2, 2003)

Section 5.40.270 Parking vehicles on streets generally.

Any applicant for a permit or franchise under this chapter who desires space to stand a vehicle for hire or taxicab on the street shall obtain permission of the City and property owners or occupants, as required by this chapter, but no applicant shall be entitled to space on the street for more than one vehicle for hire or taxicab and all applicants for permits for more than one vehicle for hire or taxicab shall be required to provide parking space for the remainder of such vehicles off the streets of the City. They shall not be entitled to stand the same on public streets longer than is necessary to load and unload passengers, except while the vehicle for hire or taxicab is actually paid for and engaged by a passenger unless authorized by permit. (Ord. 6719 § 2, 2003)

Section 5.40.280 Change in rates, color scheme, name, vehicles and animals.

In the event that any permit holder desires to change his or her schedule of rates and charges or the color scheme, name, monogram or insignia used on such vehicle for hire, or to substitute any vehicle for and in place of the vehicle or vehicles described in the application for the permit, or to increase or decrease the number of vehicles used by him as vehicles for hire, he or she shall make application for permission to do so from the Finance Director which permission shall be granted if, the Finance Director determines that the public interest, necessity and convenience will be served by such change, and if the permit holder has complied with all the provisions of this chapter. If permit holder substitutes an animal for one that was previously approved, permit holder shall provide the Finance Director with a complete description and a photograph of the animal within 10 days. (Ord. 6719 § 2, 2003)

Section 5.40.290 Refusal to pay legal fare.

It is unlawful for any person to refuse to pay the legal fare for the hire of any vehicle for hire or taxicab, after having hired the same, with the intent to defraud the person from whom it is hired. (Ord. 6719 § 2, 2003)

Section 5.40.300 Meters.

All taxicabs shall be equipped with a meter in good working order in plain sight of the passengers, which meter shall constantly show charge made for hire of the taxicab. The City shall determine the increments at which meters may be set. Each meter shall bear a current seal issued by the official of a California County charged with regulation of weights and measures. (Ord. 6719 § 2, 2003)